

**EXHIBIT**

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**Jane E. Iannuzzelli, M.Ed., M.A.**  
**Psychologist**  
**331 West State Street**  
**Media, PA 19063**

**Phone 610-565-0515**  
**Fax 610-565-4045**  
**mediacounselingservices@verizon.net**

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Stephen P. Patrizio, Esq.  
Dranoff & Patrizio  
2 Penn Center Plaza  
1500 JFK Blvd., Suite 1205  
Philadelphia, PA 19102

**RE: STEPHEN T. KISH (DOB 11/13/55)**

Dear Mr. Patrizio:

As you are aware, I have been a licensed psychologist since 1987 with a strong emphasis on Forensic practice, both criminal and family law. Both of these areas focus on personalities, rather than specific mental health pathologies. I have been seeing Stephen Kish for treatment since August 18<sup>th</sup> 2021. He was referred by you, his attorney, due to your concern for his mental health pending his sentencing for crimes he had committed against his former employer, SEPTA. He has had fifteen (15) appointments in the span of eight (8) months and plans to continue therapy on a bi-weekly basis. All of Mr. Kish's appointments have been virtual due to the COVID pandemic. This has had the added advantage of allowing me to see his home virtually. It has also been my experience that many clients are more relaxed when receiving therapy within the safety of their own home. Mr. Kish has been unwaveringly consistent and reliable in keeping his appointments, being on time and prepared. He presents as well-groomed and always courteous and respectful. Despite what level of depression or anxiety he reports at the time of an appointment, he remains pleasant and considerate. Mr. Kish has expressed appreciation that you had made this referral as he has experienced significant anxiety and depression as this legal case moves through the court system. It has been my pleasure to work with Mr. Kish as he has been highly motivated to self-reflect on his past actions and has sought answers for himself as why he resorted to illegal activities that risked the losses that he has sustained as a result of being arrested and losing his job. In this letter, I will attempt to describe Mr. Kish's personal history, his personality, his progress in therapy and his prognosis. It is my objective to enable the Court to know Mr. Kish from a psychological perspective. All of the information contained in this report was provided by Mr. Kish and the documents reviewed. There was no verification from any outside sources.

**DOCUMENTS REVIEWED**

- Letters of support from friends and family of Stephen Kish
- Stephen Kish's letter to Judge Jones

- United States District Court for the Eastern District of Pennsylvania Presentence Report submitted by Jana G. Law, Chief U.S. Probation Officer and prepared by George H. McGary, Senior U.S. Probation Officer.
- The United States District Court for the Eastern District of Pennsylvania Information filed by the Government
- The United States District Court for the Eastern District of Pennsylvania Guilty Plea Memorandum submitted by the Government

### **RELEVANT PERSONAL HISTORY OF STEPHEN KISH**

Stephen Kish is a sixty-six (66) year old white male who lives alone in a row home, which he owns, in the Wissinoming section of Philadelphia. Mr. Kish has lived in Philadelphia for his entire life. He has one daughter, two grandchildren and one great grandchild living in Philadelphia. Mr. Kish's daughter, grandson, granddaughter, and great grandson all reside together in a home owned by Mr. Kish, which was Mr. Kish's family home during his childhood. Mr. Kish has been the anchor for his family.

Mr. Kish describes his childhood as nearly perfect, despite the family having very little money. He had three siblings, two sisters and one brother. He was the second oldest. Mr. Kish remains close to his two sisters and they have been a very important source of support for him since his arrest. Mr. Kish's brother is deceased. His death occurred in 2014, at the age of 54, as a result of a heart attack. He had been employed as a prosthetic manufacturer. All of Mr. Kish's siblings have worked in helping professions. Mr. Kish's older sister is employed as a nurse in a prison and his younger sister is a retired dietician. Both of his sisters live outside the city but within an hour drive of his home.

Mr. Kish's parents had a good marriage of over 40 years. Mr. Kish's father was a factory worker and had served in the military as a paratrooper during World War II. Mr. Kish's mother was completely blind from an accident at the age of eight. Mr. Kish described her ability to function as so proficient that he was five years old when he realized that his mother could not see. She maintained the home and he viewed her as a loving wife and mother. Mr. Kish's father died in 1989 and Mr. Kish's mother remained in her own home until shortly before her death in 2020 at the age of ninety-five (95). Mr. Kish's mother suffered a stroke in 2019, after which Mr. Kish lived with her, caring for her at night, until she suffered a second stroke and moved into a rehab/nursing home across the street from her home. She was affected physically but remained lucid until her death and in control of her own affairs. They always had a very close relationship. Mr. Kish stated that his mother told him in 2011 that the job had changed him for the worst. Mr. Kish described that he had not told his mother of his arrest but she "knew" there was something wrong and questioned him. His love, admiration and respect for his mother is unmistakable when he talks about their relationship.

Mr. Kish attended the public school and the family attended the Catholic Church on a regular basis. He does not now attend church but stated that he believes in God. Mr. Kish's parents took the family to visit extended family members out of the area giving him a sense of belonging to a larger family. He was a member of the Boy Scouts and the family was involved in neighborhood activities. Mr. Kish began working at the age of twelve (12) washing dishes after school to help the family financially. He then picked up a paper route and at the age of fifteen (15) was hired to help build stage scenery for a theater. He also shoveled snow for neighbors and cut their lawns. He would stand in front of the Acme and offer to carry packages to shoppers' cars for tips. His work history includes being a mechanic in the trucking industry and working in construction. This is the first time in Mr. Kish's life that he has not worked. Hard work has been important and all he has known since he was twelve. It is a central part of his self-concept and his self-esteem.

Mr. Kish has had two marriages. He married his daughter's mother in 1974. They were divorced in 1980, when his daughter (Christina) was 5 years old. The child's mother did not want the responsibility of raising her;

therefore, Mr. Kish had full custody of his daughter and raised her as a single father. He would drop his daughter off at his mother's home on the way to work and pick her up afterwards. Christina's mother was not involved in her upbringing at all. Christina is single and has two children, a daughter and a son. Her daughter has one child, a son age two (2). As stated, Mr. Kish provides a home for all of them in Northeast Philadelphia.

Mr. Kish married for a second time in 1984. This marriage ended in divorce in 1990 due to his wife's infidelity. Recently, Mr. Kish was in an eighteen-year long relationship with another woman, Victoria. They met in 1994 in college and moved in together in about one year. They never married. Victoria and he separated in late 2012. He considered Victoria to have been his "best friend." He stated that he was "devastated" when she left.

Mr. Kish has been active in the Free Masons for many years. He was voted four times as Lodge Master. He has been a volunteer at the Shriners' Hospital for Children and served as chairman of the Charity Committee. While he had to relinquish the positions he held in the Masons after his arrest, his friends in the Masonry have continued to be a strong source of support for him. Now, while he could still attend meetings and events, he is too embarrassed to be seen. Mr. Kish still has many friends from his youth, as well as his time at SEPTA. He is presently helping a friend build a fence on the friend's property.

Mr. Kish proudly keeps his home well maintained. He plants flowers in his front yard. He has a detached garage where he does woodwork, one of his hobbies. As my appointments with Mr. Kish have been virtual, I have had the opportunity to see a part of his home. His home is decorated with family photographs and other family heirlooms. The home appears immaculate. Mr. Kish's hobbies involve using his hands, woodworking and gardening. When he was younger, he did some hunting but has not hunted in more than 20 years.

Mr. Kish has considered himself to be a good citizen. Twice he has witnessed a crime in his neighborhood and alerted the police. In December 2018, he witnessed a break-in at the home behind his home. He called 911 and the perpetrators were arrested. They actually live behind his house about five houses away from him. He has testified as a witness in that case and will be testifying again soon. Although fearful of retaliation, Mr. Kish believed that he had a responsibility to his neighborhood to contact police and to follow through with testimony. He did not consider doing otherwise as an option.

This past year has been very challenging for the family. In February 2021, Mr. Kish's great grandson was diagnosed with retinal cancer in one eye and the eye was removed. The child, Xavier now age two (2), has a prosthetic eye. The doctors believe that the child is now cancer free. Xavier is also in the process of an evaluation for autism and can be difficult to manage at times. While Xavier's father is involved in the child's life, he does not live in the same home as Xavier and Xavier's mother. Mr. Kish helps with Xavier's care. In June 2021, Mr. Kish's grandson, age 27, was a passenger in a car that was involved in a serious accident, killing one of the passengers and leaving his grandson paralyzed from the waist down. Mr. Kish goes to the family home several times a week to help with the care of his grandson, as well as his great grandson. He also provides transportation to and from doctor appointments when needed. Mr. Kish has fitted the home with ramps and other changes to meet his grandson's needs. When possible, he has built the accommodations himself and when unable to do so, he has helped pay to have the home fitted for his grandson. His daughter, who is a nurse's assistant, is currently on a leave of absence from her job in order to care for her son but will likely be returning to work soon. Mr. Kish's sister's husband died suddenly in November 2021. This was a significant blow for the family.

Mr. Kish had a dream of moving his family out of the city when he retired. He purchased three acres of land in Northampton PA (with funds derived from the instant offense) with the plan to build a home or homes there for his daughter, grandchildren and Xavier. He described that the neighborhoods where they and he live now have deteriorated and are not as safe as they once were. He wanted a better life for his family. Mr. Kish has agreed to forfeit the proceeds of the sale of this property to satisfy a portion of his restitution to SEPTA.

## **EDUCATIONAL BACKGROUND AND WORK HISTORY**

Mr. Kish left high school at the age of eighteen (18) when he learned he was going to be a father, in order to work fulltime to support his wife and child. He later obtained a GED. He attended Community College of Philadelphia from 1994 until 1996, graduating cum laude with an Associate's degree in business. He belonged to the honor society of Phi Beta Kappa. In 2004, he graduated magna cum laude with a Bachelor of Arts in Organization Management from Eastern University, all the while working fulltime. He was the recipient of the Servant Leader Award for his graduating class. Mr. Kish's research project involved designing a start-up construction company for handicap installations. Fortuitously, the knowledge he gained has been instrumental since his grandson was injured. Mr. Kish received at least a dozen certificates for achievements and training from SEPTA, as well as personal accommodation letters from supervisors through the years.

Mr. Kish has done physical labor most of his life. Mr. Kish's first job after leaving high school was that of a mechanic in the trucking industry. He has also worked as a laborer and in the construction trades. He was at one time a supervisor for the New York Rail Car operation in New York City, commuting to the city daily. He began as a mechanic with SEPTA.

Mr. Kish began working for SEPTA in 1994, twenty-eight (28) years ago. He had various jobs with the company and received several promotions through the years. He was first promoted to a managerial position in 2006. Very shortly thereafter, he developed shingles from the stress. Mr. Kish described that he was content at SEPTA, despite the need to work hard there, until he was promoted into a manager position. Mr. Kish received another promotion in 2011. This is when he remembers the stress of the job first taking a toll on him and on his relationship with Victoria. He admits that after work, he would have a couple of drinks (bourbon) to relax, to which Victoria objected, but never drank to the extent that he could not respond when called after hours. To Victoria's objections, he recalls telling her "I have to do what I have to do to keep my sanity." Mr. Kish reached his final position in 2013 as a director. He took a job that had previously been filled by two directors. He supervised three (3) assistant directors, eleven (11) managers, and approximately one hundred fifty (150) hourly workers. In that position, Mr. Kish described that he was on call around the clock, seven days a week, every week. He frequently answered his phone in the middle of the night, called to come to one of the stations to respond to an emergency. When an assistant director left the company, those responsibilities were added to those of Mr. Kish. Mr. Kish described having one supervisor who would "punish" employees who did not respond to the phone within fifteen (15) seconds by then sending them to remote stations or changing them to night shift for a period of time. This happened to Mr. Kish on one occasion when he was assigned third shift in a bus depot for one week, while still having his regular job responsibilities. He never again hesitated to answer no matter the hour. Mr. Kish's relationship with Victoria ended because of his job. Victoria had predicted for him that the job would either be the death of him or the death of their relationship, or both. Ultimately, Victoria left because of how the stress of the job had changed Mr. Kish. He had become someone who no longer could enjoy life and was consumed by his job. He was stressed and exhausted most of the time.

When asked what job he liked best, Mr. Kish responded that he was happiest being a union autobody mechanic. There was little or no pressure in this job and he was able to pursue additional education. When he injured his back and therefore elected to go into management, he had no way to know how this would negatively impact every aspect of his life.

## **RELEVANT MEDICAL HISTORY**

Mr. Kish suffered a heart attack in 1998. Mr. Kish injured his back approximately 2011 and was diagnosed with sciatica. He was then working at SEPTA as a mason and doing similar work on the side. He believes that carrying ninety-pound bags of cement up steps caused his injury. In 2018, he contracted Lyme disease and



despite repeated courses of antibiotics, he has never fully recovered as is seen in the titers that remain in blood tests. Mr. Kish currently takes preventative medications for his heart, cholesterol and high blood pressure.

When the stress increased, Mr. Kish sought medical help from his primary physician. Mr. Kish was first prescribed Ativan for anxiety in 2007. He has also been prescribed Xanax in the past. Mr. Kish stopped taking both of these medications because of a fear of becoming addicted. He has been prescribed Zoloft and Mirazapine for depression. He has not found these medications to have improved his symptoms. Since his arrest, he has been unable to sleep through the night and during some periods, slept only one to two hours a night. In February 2022, he was prescribed Trazadone for sleep. His sleep remains variable but showed some initial improvement. Mr. Kish's sleep disorder is a result of his obsessive thoughts concerning both his past behavior and how his family is likely to be affected in the future if he is unable to be there to help them.

Since his arrest, Mr. Kish has lost a considerable amount of weight. Prior to his arrest, Mr. Kish exercised daily, doing push-ups and sit-ups. Since his arrest he has not had the motivation to continue with this. He no longer has the energy level that he once enjoyed.

### **DRUG/ALCOHOL HISTORY**

Mr. Kish drinks alcohol in moderation. His alcohol use increased to drinking bourbon daily after work shortly after he was promoted but he stated that he never drank to a level of impairment. In 1997, a friend of his retired and moved to Ireland. Mr. Kish visited him yearly for eight years and there developed an interest in bourbon produced in Ireland. In 1999, Mr. Kish started to make wine with Victoria's father. He stopped this about two years ago. Collecting bottles of bourbon and making wine were hobbies and used only for moderate personal consumption.

Mr. Kish stated that he used marijuana infrequently during the 1980's. Recently friends were visiting and were aware that anti-anxiety medications were not helping him. One of his friends uses medical marijuana and suggested he try this. He tried his friend's marijuana one time and found that this was not helpful either.

### **LEGAL HISTORY**

Mr. Kish is charged with the following Offenses: (1) theft from organization receiving federal funds and aiding and abetting; (2) wire fraud; (3) money laundering and aiding and abetting. Mr. Kish utilized procurement cards to falsely obtain goods and cash from company vendors. Mr. Kish reported that this began when he was first approached by a vendor who introduced him to this idea. Although several employees have been arrested, Mr. Kish was unaware that any other employees were engaging in the same activity and he does not believe that any of these persons were aware of his activities. He engaged in these crimes from approximately late 2013 through June 2019. Mr. Kish first learned of the government's investigation in June 2019. Mr. Kish was required to forfeit the property he had purchased in Northampton as this property was bought with funds obtained illegally. He has willingly made restitution to the best of his ability.

For the purpose of this report, this psychologist will not offer additional details. The details of Mr. Kish's wrongdoings and restitution are detailed in the government's documents. The government states "It involved the defendant's participation in a fraud and bribery scheme between managers and directors in the Bridges and Buildings Department..."

Mr. Kish has plead guilty to the Government's charges; he has not contested the forfeiture of property or money; he accepts the consequences and has cooperated fully with what has been asked of him.

## **PERSONALITY PROFILE**

Mr. Kish described himself as “embarrassed,” “disgraced,” “ashamed.” Mr. Kish has spent a great deal of time on his own and in most of his therapy sessions trying to understand why he committed the crimes that he committed. He firmly states that he had never cheated or stolen anything before in his life. Mr. Kish has stated that this is against everything his parents taught him to believe and value.

Mr. Kish is by nature a people pleaser. He thrives on being well thought of and respected. Mr. Kish has perfectionistic qualities to his personality. He also sets very high standards of performance for himself. This is evidenced by the way in which he approached the job. He has an obsessive-compulsive component to his personality. If presented with a task or a problem, Mr. Kish will expect himself to complete every aspect of the task impeccably. He stated “I was the best at everything I did.” From the company’s standpoint, he was the perfect employee for his position, which involved problem-solving and responding to emergencies anytime, anywhere in the system. This psychologist opines that this explains his being promoted repeatedly. The company recognized his strong work ethic, his commitment to the job and the high quality of his work as assets to the company. His supervisors in upper management referred to Mr. Kish as “The Hammer” (which he disliked), meaning that they could give him the most difficult assignments. The company, however, could not see the stress that accompanied his responsibilities and Mr. Kish was not psychologically equipped to handle this level of responsibility and pressure. At the time when he committed the crimes, Mr. Kish was feeling that his life was completely controlled by his job. He feared losing his job if he complained or of being “punished” with an undesirable or even dangerous assignment. The most important relationship he had in life fell apart and he fell into a deep depression.

Mr. Kish has suffered from heightened anxiety and depression since his arrest. He described that the anxiety causes feelings of electricity going through his body. The anxiety is so severe that he usually is only able to sleep for one or two hours a night. His anxiety began several years ago, while he was in the managerial job at SEPTA but it has increased exponentially since his arrest, along with his depression. Depression has often been said to be worrying about the past and anxiety worrying about the future. Mr. Kish obsesses on both the past and the future. He analyzes his past behavior in an effort to understand why he allowed himself to take money that belonged to the company. “I think about it every day.” His actions are incongruent with his lifelong view of himself as a responsible, hard-working, honest man.

With respect to the future, Mr. Kish worries about how his daughter and grandchildren will be able to get by if he is incarcerated. Also his goal had been to move the family to a safer and more peaceful environment and to use his pension to help support his family. He no longer has these options and benefits. The greatest burden that Mr. Kish now shoulders is his belief that he failed his family and they will suffer because of his mistakes. His greatest concern about incarceration is that he will be unable to help his daughter care for his disabled grandson as he is his daughter’s primary support person, both physically and financially. Mr. Kish has lost his pension (\$50,000 per year), medical insurance, and life insurance. He no longer has a secure financial future. He has lost everything that he spent twenty-five years building.

## **DIAGNOSTIC IMPRESSION**

Mr. Kish now experiences a combination of severe anxiety and severe depression related to his fear of incarceration and the impact on the people who have counted on him. Obsessive-compulsive behavior is rooted in anxiety and the fear of making a mistake. Medication could not treat the stress from the job and cannot remove the stress of his current situation.

This psychologist diagnoses Mr. Kish with the following disorders:

Obsessive-Compulsive Disorder DSM-5 300.3

Obsessions may be described as recurrent and persistent thoughts. Compulsions include behaviors aimed at preventing or reducing anxiety. Obsessions and compulsions are time-consuming and impair other areas of functioning (social, occupational). Mr. Kish demonstrates components of this Disorder without meeting the full criteria. In Mr. Kish's case, these tendencies are a response to anxiety; however, creating more distress (inability to sleep) but also helping to distract him from his stressful situation (possible incarceration).

Generalized Anxiety Disorder DSM-5 300.02

Mr. Kish has a history of excessive anxiety and worry (apprehensive expectation), occurring more days than not about a number of events or activities (such as work). He worries obsessively about the future. He has found it to be impossible to control the worry. The anxiety has and is causing clinically significant distress or impairment in social functioning. He exhibits the following criteria for this diagnosis:

- Restlessness or feeling keyed up or on edge (electricity going through his body)
- Difficulty concentrating
- Sleep disturbance (difficulty falling or staying asleep)

Persistent Depressive Disorder DSM-5 300.4

Mr. Kish experiences depressed mood all day every day. He most likely demonstrated symptoms of depression originating when he was promoted into a supervisory position. He does not remember being happy after moving into management. Mr. Kish exhibits the following criteria for this diagnosis:

- Poor appetite
- Insomnia every day
- Low energy
- Low self-esteem
- Feelings of hopelessness and powerlessness
- Inclusion of symptoms of Major Depressive Disorder
  - Marked diminished interest or pleasure in all, or almost all, activities most of the day, nearly every day.
  - Significant weight loss
  - Feelings of worthlessness or guilt every day
  - Impairment in social functioning

For over two years, since learning of the investigation into his activities, Mr. Kish has not been without the above symptoms. He lacks motivation to do simple tasks and describes forcing himself to do the things he knows should be done. He described himself as "socially paralyzed." Mr. Kish resists leaving his house, other than to go to his daughter's home. Friends call and visit him but he has otherwise ceased all of his previous activities. The loyalty and attention of his friends and family have prevented him from becoming completely isolated.

PROGNOSIS

It is likely that Mr. Kish will continue to suffer from anxiety and depression for quite some time in the future and possibly for the rest of his life. He does not fit the profile of a recidivist due to his extreme sense of guilt and remorse and his yearning to understand why he became a criminal. While Mr. Kish awaits the final sentencing



for his crimes committed, he is experiencing daily self-punishment and guilt. He fully understands the effect that his behavior has had on his family, SEPTA as a company, other SEPTA employees, and citizens who ride on SEPTA. He is ashamed that he broke the trust that his supervisors, his employer and his family placed in him. It is likely that he will spend the rest of his life trying to compensate his family and society in some way for the pain and loss he has caused. It is the opinion of this psychologist that Mr. Kish is in no way a threat to society in the future. While the government is likely to see a need to punish Mr. Kish further, there is no need to impose a deterrent. He is likely to spend the rest of his life trying to assuage his conscience. He is likely to make future efforts to restore his integrity. This psychologist opines that Mr. Kish's future time would be best spent in community service, where he could pay back society for what he has wrongfully taken and where his skills could once again be used for the benefit of others. This psychologist opines that this would be of the most therapeutic benefit for him and the most just way in which Mr. Kish could repay society.

### SUMMARY AND ANALYSIS

Mr. Stephen Kish exemplifies a man who has always been hard-working and endeavored to "do the right thing." He had parental role models of perseverance and sacrifice (a blind mother and a former paratrooper father). He started working at age twelve to help out the family; he left high school to work fulltime and support his wife and child; he raised a daughter with only the help of his blind mother; he cared for his mother until her death at the age of 95; he accepted all responsibilities given to him at SEPTA no matter the toll it took on him and his relationship; he gave his free time for charity benefits; he was a good citizen in reporting crime despite personal risk; he maintains his home impeccably; he has been a loyal friend, helping his friends when he can; he is there for his daughter and granddaughter in caring for his grandson and great grandson; he assumed the responsibility for his daughter's home being fitted for his grandson's handicap; he planned for a better future for his entire family; while he is not a practicing Catholic, he believes in God and tries to live by those values.

Clearly Mr. Kish had been an exemplary employee for SEPTA for most of the twenty-five years of service he gave the company. He was relied upon in times of emergencies and there are no known reports that he did not live up to expectations and beyond. He literally gave his service to the company 24 hours a day, 7 days a week, 52 weeks a year. The actions that Mr. Kish took during the last few years of his employment at SEPTA are completely in contrast with all other aspects of his life and work.

In thirty-five years of practice, this psychologist has never had the experience of working with an individual of such high-principled standards who was also guilty of having committed serious crimes. Committing crimes is completely incongruent with his ego and self-concept, as well as his entire life history. Furthermore, it is highly unusual for a person suffering from anxiety to engage in daring, clandestine activities. This gives rise to the question of what could have happened psycho-dynamically to this individual to cause him to behave in ways that even he would never have imagined possible. One's psychodynamics are the interrelation of the unconscious and conscious mental and emotional forces that determine personality and motivation.

It seems that several divergent factors came into play simultaneously. (The perfect storm.) When asked what he was thinking and feeling while committing these crimes, Mr. Kish simply states: "It's against everything I was raised to believe." Mr. Kish has thought that perhaps on an unconscious level, he was trying to compensate for the damage that the job was doing to his personal life and his health. While Mr. Kish is quick to add that this still does not explain or justify his actions, this is the only hypothesis that he can construct. However, entitlement or vengeance are also incongruent with his compliant, accommodating personality. When one commits acts that are internally incongruent, the person will usually breakdown.

Mr. Kish's work responsibilities are described in this report. Keeping in mind the diagnoses described above, Mr. Kish's mental health clearly deteriorated as time went on and as his responsibilities increased. One might assume that Mr. Kish was fortunate to have a secure position, with a stable company, for which he was compensated well,

and with the prestige and power that usually accompanies management. Beneath the surface of this postulate is the reality of his daily experiences. Mr. Kish did not have the psychological strength and resilience to cope with the expectations and demands of a high-level managerial position. His anxiety escalated rather rapidly.

If one considers his promotions, in 2006 he sought a supervisory position because of a physical injury making it impossible for him to continue to do manual labor. This would not have been his preference as he was very happy as an autobody worker and reasonably content as a mason. Mr. Kish believed that he had no choice. Almost immediately, he developed shingles. Stress affects the immune system, which is a trigger for shingles and the medical community believes there to be a direct correlation. It seems that after his initial stress response (shingles), Mr. Kish may have settled into that job and coped well. Approximately five (5) years later, he was promoted to a position of managing several managers and almost double the number of hourly employees. Mr. Kish targets this time as when he started to take his work "too seriously." Having sought medical treatment for the anxiety to no avail, he began to self-medicate with "a couple of bourbons" in the evening. Thereafter, Victoria (his companion, best friend, and primary support person) left. This psychologist postulates that this was when depression began to couple with his anxiety and his stress escalated into distress. Yet in 2013, he accepted a promotion more than doubling the number of people that he was now responsible to manage. This was the perfect storm. Mr. Kish had not coped with the responsibilities that came with the 2011 promotion but no one could have known this (except Victoria) because of his obsessive-compulsive approach to any job he does. No doubt he was seen as a model employee. Mr. Kish describes feeling trapped and completely powerless. He had lost his only support person. He began to decompensate, first by self-medicating with alcohol and then by self-medicating through theft. This psychologist opines that when he moved into the director position in 2013, his self-medicating with alcohol became less and less effective. Accumulating added wealth through illegal means would have given him an adrenaline rush that was another form of self-medicating. It also created a distraction, giving him something to focus on other than his unhappiness with his life. It is common for individuals to engage in highly risky behavior for the adrenaline rush without consideration of the danger and without being consciously aware of this dynamic. Unconsciously, Mr. Kish was treating his depression and anxiety with risky and monetarily rewarding behavior.

Mr. Kish's own description of his emotional state is that he was in a deep depression after Victoria left. When he began stealing from the company, "It's like taking a drug. I temporarily felt good. It's like a fix. I'd feel good for a short time and then I'd go after another fix." This also explains why Mr. Kish's theft was at such a high level. He needed a frequent "fix" to keep going.

Mr. Kish is an uncomplicated individual in that he was not one to self-reflect or to seek advice as to how to manage an unmanageable situation. All of his life, he just handled whatever life dealt him. Overlaying this, was sleep deprivation and exhaustion. Many nights each week, his sleep was interrupted to manage a crisis when he may also be called out to go onsite. Mental health clinicians agree that sleep deprivation will most likely intensify any mood disorder (anxiety/depression) and result in behavioral changes that often appear irrational.

Mr. Kish reports that he was first approached by the vendor to misuse the procurement card in 2013, when he may have been at the height of his vulnerability. This psychologist postulates that the vendor had observed Mr. Kish for some time before taking the risk of approaching him and that the vendor *sensed* his unhappiness and therefore his susceptibility. Candidly, Mr. Kish was a likely target for the vendor wanting to expand his operation. At this point, Mr. Kish was living day-by-day just to get by at the job so Mr. Kish approached this scheme in the same manner. Mr. Kish describes his thinking at the time as he "didn't think about it." Mr. Kish had been coping with his life and work situation by not thinking about negative consequences and this applied here also. Furthermore, the accumulation of additional moneys provided him with a reward for his hard work and he could begin to see a way out. As with many individuals who become involved in schemes of some kind, they rarely expect the scheme to last very long and they believe that they will stop their involvement sometime soon. This is also characteristic of someone in an addiction. This was true for Mr. Kish. He had no idea that he was part of a larger scheme, which is another example of the simplicity with which he looked at what he was doing. When he learned

of the investigation, he panicked. He tried to do some damage control but it was a rather pathetic attempt, the efforts of a very unsophisticated thief.

At this time, Mr. Kish has returned to the man that he truly is, one who worked hard, raised his daughter, cared for his mother and is now helping to care for his grandson and great grandson. It was as if Mr. Kish was two people during those years and the one who broke the law is now gone, leaving the other confused as to how all that happened. Because of the disparity between what were essentially his two lives; Mr. Kish is having a hard time understanding and living with what he has done. Mr. Kish does not live in a vacuum; yet he committed his crimes in a vacuum. He led a double life and no one knew. He never considered how his actions might hurt his family if he were to be found out. Even as he committed these acts, he thought of the proceeds as building the future for his family. When Mr. Kish speaks about his fears of the future, his only fear of what will happen to him is how it will impact the rest of his family. He lives with the guilt of this daily and makes no excuses for his actions.

Experts agree that under extreme stress, people will behave in uncharacteristic ways. Mr. Kish's personality became fractured. Fear, isolation, exhaustion, anxiety and depression converged in such a way that Mr. Kish broke down. He committed the crimes as if it were necessary for his psychological survival. The answer to the question of why Mr. Kish stole from the company is that he was in tremendous psychological pain and the excitement of these acts became his "drug of choice." He became addicted to the adrenaline burst that came with each encounter.

It is important to note Mr. Kish's reaction to the letter written to Judge Jones on behalf of SEPTA's employees. This letter has served to awaken him on another level to the damage he has done beyond himself and his family. This was pivotal for him. Mr. Kish found security and a purpose working for SEPTA for twenty-five (25) years, for which he remains forever grateful. This letter made him even more aware of what he took for granted and how far-reaching his actions were. He is humiliated at having let down so many people who trusted the company and directly and indirectly trusted him. Because his job entailed coordinating with other departments, Mr. Kish knew many people at SEPTA. He refuses invitations by friends to go out for fear of seeing employees he knows and whom he has betrayed.

Please accept my apology for taking an extended amount of time to complete this report. Learning about Stephen Kish has been a bit like peeling an onion for him and for this psychologist. Peeling that onion for Mr. Kish has been painful and had to proceed slowly. He is still in the process of taking a look at the core of the onion, his psychodynamics. Mr. Kish has come to realize that SEPTA was not to blame for his inability to cope with the obligations of his position. Mr. Kish has come to realize that it was up to him to find a solution to his unhappiness and to accept his weaknesses. Mr. Kish has always perceived himself as strong and resourceful. Facing his own limitations has been a slow and difficult process for him but he has worked in therapy to reach that end. His core personality finds his actions to be indefensible and inexcusable.

These findings are offered with a reasonable degree of psychological certainty.

Respectfully submitted,

*Jane E. Iannuzzelli*

Jane E. Iannuzzelli, M.Ed., M.A.  
Psychologist